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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
AL AUBAIDI, RASHA S	
ART UNIT	**PAPER NUMBER**
2642	

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/874,152	VERBIL ET AL.	
	Examiner	Art Unit	
	Rasha S AL-Aubaidi	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 June 2001* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 June 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farris (US PAT # 5,692,033).

Regarding claim 1, Farris teaches a method of queuing calls to a subscriber of queuing services accessed through a subscriber line (see abstract), the method comprising: detecting a call to the subscriber line at a local switch connected to the subscriber line (see col.7, lines 29-37); if the subscriber line is busy (see col.3, lines 55-

58), queuing the call to the subscriber in a intelligent peripheral (this basically read on the portion of the IP 18 or SSP 10a functionality, when collecting information from the caller and adding the caller to the queue, see col.11, lines 48-67), the intelligent peripheral within an Advanced Intelligent Network (AIN) telecommunications system (see col.5, lines 40-45); determining that the subscriber line is not busy; and if a call is queued in the intelligent peripheral and the subscriber line is determined to be not busy, connecting the call to the subscriber with the subscriber line (this reads on the scenario when the called party line is not busy providing a ringback to the caller and connecting the call, see col.7, lines 58-60).

Farris does not specifically teach queuing the call in the intelligent peripheral (IP).

However, it teaches that the IP 18 or SSP 10a participate with ISCP 20 in order to place the caller in a queue, IP 18 or SSP 10a collects information from the caller and adds the caller to the queue, see col.11, lines 48-61, and ISCP would be responsible to update this queue, col.11, lines 63-67).

Generally, IPs have been used to perform network functionalities in order to decrease the load on the network elements. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the calls queued in the IP in order free the network recourses.

Claims 11 and 28 are rejected for the same reasons as discussed above with respect to claims 1-2 and 6.

Claim 21 is rejected for the same reasons as discussed above with respect to claim 1-4.

Regarding claim 2, Farris teaches detecting the call to the subscriber comprise setting a Termination Attempt Trigger against the subscriber line (this reads on TT1 in Fig.2, see col.9, lines 7-16).

Regarding claim 3, the use of Call Forward on Busy Line is old and well known in the art. Obviously, when the subscriber in Farris is busy, calls maybe forwarded to the IP.

Regarding claim 4, forwarding the subscriber line call to a Direct Inward Dial telephone number on the intelligent peripheral reads on using a PBX as the IP. PBXs have been used for so many years.

Regarding claim 5, when determining that the subscriber line is not busy comprises setting a Next Event List at the subscriber local switch (this may read on connecting the caller to the called destination).

Regarding claim 6, the limitation of having the local switch call the intelligent peripheral when the subscriber line is found to be busy in response to a call to the subscriber line reads on the well known Forward on Busy feature. Calls in the queue will

be directed to the called destination by either monitoring for an on-hook status as described by the reference (see col.12, lines 28-38) or by repeatedly dialing the subscriber line from the intelligent peripheral; and determining that the subscriber line is busy.

Regarding claims 7 and 25, Farris teaches after determining that the call to the subscriber has been queued for a determined amount of time; requesting that a caller placing the call to the subscriber perform an action to remain in queue; and if the caller does not perform the requested action, dequeuing the call (this may read on the IP 18 informing the calling party whether he/she wants to remain on the line or not, if so he/she has to press 1, for example, otherwise calls will be terminated, see col.6, lines 64-67).

Claims 8 and 26 are rejected for the same reasons as discussed above with respect to claim 1. Also, for generating queue utilization statistics based on the collected queue utilization information (this can reads on the number of calls entered the queue and completing these calls based on the priority of the call and the sequence of the call in the queue, see col.4, lines 19-20, and 35-40).

Regarding claims 9, 15 and 27, Farris teaches the call from the intelligent peripheral indicating status of the queued subscriber line call to the subscriber (this reads on the IP 18 providing an enhanced announcement, see col.6, lines 65-67, for

example, IP 18 may announce the time, how long the call has been entered in the queue, the number of the call in the queue list, ...etc.).

Claim 19 is rejected for the same reasons as discussed above with respect to claims 9 and 15.

Regarding claims 10 and 20, the intelligent peripheral is a switchless intelligent peripheral. The use of switchless queuing is well known in the art.

Regarding claim 12, the service control point (22) determining if queue slots are available in the intelligent peripheral (see col.9, lines 27-30, also this is obvious in order to place this call in queue, there must be a free slot or space provided).

Regarding claims 13-14 and 22-23, a messaging system, the service control point instructing the intelligent peripheral to dial the number of the messaging system and to bridge the received subscriber call to the messaging system call if the service control point determines no queue slots are available (this basically reads on the IP connecting the call to the mail box system in the event of not queuing the call see col.10, lines 28-45).

Regarding claim 16, Farris teaches an intelligent peripheral (having more than one IP is obvious), intelligent peripheral implementing at least one call queue (each IP

implementing at least one call queue), each call queue associated with one of a plurality of subscribers (this is obvious); at least one service control point (reads on SCP 22 in Fig.1), each intelligent peripheral in communication with one service control point collecting information about each queued call (this reads on the IP collecting data and information CPR from the database 22, see col.8, lines 31-37); and a data server (the data server may read on the ISP 20 accessing a separate database , see col.6, lines 23-33) in communication with the at least one service control point, the data server aggregating queue utilization data for each subscriber.

Claims 17-18 are rejected for the same reasons as discussed above with respect to claim 16. The data distributor will read on ISCP 20, see col.9, lines 32-46).

Regarding claim 24, playing a message from the intelligent peripheral to the forwarded call when queuing the forwarded call (this basically reads on the IP playing announcement when the forwarding placed in a queue).

3. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farris in view of Andrews et al (US PAT # 5,271,058).

Farris does not specifically teach the use of a switchless intelligent peripheral.

However, Andrews teaches a switchless automatic call distributor that is able to perform certain functions such call processing, call queuing, ...etc, (see abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of switchless ACD as taught by Andrews into the Farris system in order to have the network performs the functionalities without having to use a switch as described in Andrews.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pula (US PAT # 5,208,848) teaches an intelligent peripheral is bridged to a call being dialed. If the IP recognizes a need to supply information for establishing a call, the IP supplies digits or characters on the customer behalf (see abstract).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Examiner

Rasha S Al-Aubaidi

09/29/2003

AHMAD MATAR
SUPERVISORY PATENT EXAMINER
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